

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	No. 3:07-CR-29
v.)	(Phillips/Guyton)
)	
BOBBY RAY MCCLURE, JR.,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter came before the Court on November 8, 2007 upon the Petition For Action on Conditions of Pretrial Release [Docs. 28 & 36]. The government was represented by Brownlow Marsh. The defendant Bobby Ray McClure, Jr. was present, along with his attorney, Wesley Baker.

The government presented the testimony of D.E.A. Special Agent Bethel Poston, Knoxville Police Department Officer Jeremy Maupin, and U.S. Pretrial Services Officer Joe Cuccia. This testimony established that while on pretrial release, the defendant violated the terms of his pretrial release by engaging in, or at least attempting to engage in, the sale of illegal drugs. The defendant also failed to report contact with law enforcement, a violation which standing alone would not necessarily merit revocation of pretrial release. However, drug trafficking is inherently dangerous, and by involving himself in that, the defendant poses an unreasonable danger to the community. See, United States v. Hernandez, 2002 WL 1377911 (E.D. TN; Edgar).

The Court finds that the defendant has violated the terms and conditions of his pretrial release. Specifically, paragraph (1), paragraph (7)(p), and paragraph (7)(u) of the Order Setting Conditions of Release [Doc. 14]. Accordingly, the Order Setting Conditions of Release [Doc. 14] is hereby **REVOKED**. The defendant shall be held in custody by the United States Marshal pending all further proceedings in this matter.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge